



#6/A  
3-17-03  
AJONES

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

Date: January 13, 2003

DOUGLAS N. MODLIN, JOHN C. OWICKI,  
JONATHAN F. PETERSEN, TODD E. FRENCH,  
CARL L. WRIGHT, JEANNE A. RUIZ,  
and LORNE B. BECHTEL

Serial No. : 09/710,061

Examiner, Karl D. Frech

Filed : November 10, 2000

Group Art Unit 2876

For : MULTI-MODE LIGHT DETECTION SYSTEM

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**AMENDMENT**

In response to the Office action dated September 11, 2002, applicants hereby request that the above-identified patent application be amended as follows:

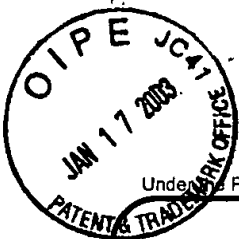
**In the Specification:**

Please replace the entire Cross-References section on page 1, lines 3-21, with the following amended Cross-References to Priority Applications and Cross-References to Additional Materials sections:

**Cross-References to Priority Applications**

This application is based upon and claims priority from U.S. Provisional Patent Application Serial No. 60/164,633, filed November 10, 1999, now abandoned.

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2876#  
#60

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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|  |                             |                               |         |
|--|-----------------------------|-------------------------------|---------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | <b>Application Number</b>   | 09/710,061                    |         |
|  | <b>Filing Date</b>          | November 10, 2000             |         |
|  | <b>First Named Inventor</b> | Douglas N. Modlin             |         |
|  | <b>Group Art Unit</b>       | 2876                          |         |
|  | <b>Examiner Name</b>        | Karl D. Frech                 |         |
| <b>Total Number of Pages in This Submission</b>  | 42+                         | <b>Attorney Docket Number</b> | LJL 348 |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input checked="" type="checkbox"/> CD, Number of CD(s) <u>1</u> | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>* Declaration of James R. Abney<br>** 2 references (one book, one article)<br>*** Copy of Certificate of Merger |
| <b>Remarks</b>  |   | <b>RECEIVED</b><br><b>JAN 22 2003</b><br><b>TECHNOLOGY CENTER 2800</b>   |
|   |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| <b>Firm or Individual name</b>             | James R. Abney, Esq.<br>Kolisch Hartwell, P.C. |
| <b>Signature</b>                           | <i>James R. Abney</i>                          |
| <b>Date</b>                                | January 13, 2003                               |

| CERTIFICATE OF MAILING   |                     |
|--|---------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <b>January 13, 2003</b> |                     |
| <b>Typed or printed name</b>   | Renee L. Knight     |
| <b>Signature</b>   | <i>Renee Knight</i> |
| <b>Date</b>  | January 13, 2003    |

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 55.00

## Complete if Known

Application Number 09/710,061  
Filing Date November 10, 2000  
First Named Inventor Douglas N. Modlin  
Examiner Name Karl D. Frech  
Art Unit 2876  
Attorney Docket No. LJL 348

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account:  
Deposit Account Number 11-1540  
Deposit Account Name Kolisch Hartwell  
The Commissioner is authorized to: (check all that apply)  
☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid   |
|--------------|----------|--------------|----------|------------------------|------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |            |
| 1001         | 750      | 2001         | 375      | Utility filing fee     |            |
| 1002         | 330      | 2002         | 165      | Design filing fee      |            |
| 1003         | 520      | 2003         | 260      | Plant filing fee       |            |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     |            |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |            |
| SUBTOTAL (1) |          |              |          |                        | (\$ ) 0.00 |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid   |
|--------------|----------|--------------|----------|--|------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |            |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |            |
| 1201         | 84       | 2201         | 42       | Independent claims in excess of 3                          |            |
| 1203         | 280      | 2203         | 140      | Multiple dependent claim, if not paid                      |            |
| 1204         | 84       | 2204         | 42       | ** Reissue independent claims over original patent         |            |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |            |
| SUBTOTAL (2) |          |              |          |  | (\$ ) 0.00 |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid    |
|--------------|----------|--------------|----------|--|-------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |             |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |             |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |             |
| 1053         | 130      | 1053         | 130      | Non-English specification  |             |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |             |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |             |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |             |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     | 55.00       |
| 1252         | 410      | 2252         | 205      | Extension for reply within second month                                    |             |
| 1253         | 930      | 2253         | 465      | Extension for reply within third month                                     |             |
| 1254         | 1,450    | 2254         | 725      | Extension for reply within fourth month                                    |             |
| 1255         | 1,970    | 2255         | 985      | Extension for reply within fifth month                                     |             |
| 1401         | 320      | 2401         | 160      | Notice of Appeal   |             |
| 1402         | 320      | 2402         | 160      | Filing a brief in support of an appeal                                     |             |
| 1403         | 280      | 2403         | 140      | Request for oral hearing   |             |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |             |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |             |
| 1453         | 1,300    | 2453         | 650      | Petition to revive - unintentional   |             |
| 1501         | 1,300    | 2501         | 650      | Utility issue fee (or reissue)   |             |
| 1502         | 470      | 2502         | 235      | Design issue fee   |             |
| 1503         | 630      | 2503         | 315      | Plant issue fee  |             |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |             |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |             |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |             |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |             |
| 1809         | 750      | 2809         | 375      | Filing a submission after final rejection (37 CFR 1.129(a))                |             |
| 1810         | 750      | 2810         | 375      | For each additional invention to be examined (37 CFR 1.129(b))             |             |
| 1801         | 750      | 2801         | 375      | Request for Continued Examination (RCE)                                    |             |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |             |
| SUBTOTAL (3) |          |              |          |  | (\$ ) 55.00 |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type) James R. Abney, Esq. Registration No. 42,253 Telephone (503) 224-6655  
Signature [Signature] Date Jan. 13, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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